

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-CR-00365-RJC-DCK

USA

v.

RAMION BAKER

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se for a reduction of his supervised release revocation sentence based on the First Step Act of 2018, (Doc. No. 16), to which the government consents, (Doc. No. 22: Response at 1).

The defendant pled guilty in the District of Connecticut to conspiracy to possess with intent to distribute 5 grams or more of cocaine base and was sentenced to 110 months' imprisonment followed by 6 years' supervised release. (Doc. No. 1-2: Judgment at 1). The defendant completed his jail term and had his supervised release transferred to this District. (Doc. No. 1). This Court subsequently sentenced him to 33 months' imprisonment for violating of the conditions of his supervised release. (Doc. No. 11: Revocation Judgment at 1-2).

Under the First Step Act, the statutory maximum sentence for the defendant's offense drops from 40 to 20 years' imprisonment, from a Class B to a Class C felony. (Doc. No. 18: Supplement to the Presentence Report (PSR) at 2-3). Accordingly, the maximum revocation sentence is reduced from 36 to 24 months' imprisonment. (Id. at 3). The defendant has approximately 26 credited months in

the Bureau of Prisons (BOP). (Id.). Therefore, the defendant seeks a sentence of time served, to which the government consents. (Doc. No. 16: Motion at 18; Doc. No. 22: Response at 1).

In exercising its discretion under the First Step Act, the Court has considered the factors set forth in 18 U.S.C. § 3553(a), as well as the defendant's post-sentence conduct and the public's safety. Based on these factors, the Court finds that a reduction of the defendant's sentence would accomplish the goals of sentencing.

IT IS, THEREFORE, ORDERED that the defendant's motion, (Doc. No. 16), is **GRANTED** and the defendant's revocation sentence is reduced to the time served, plus up to ten days for the BOP to process his release.

The Clerk is directed to certify copies of this Order to the defendant, the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: November 10, 2020



Robert J. Conrad, Jr.
United States District Judge

